

TOWN OF HAMILTON
BOARD OF SELECTMEN
JUNE 18, 2012

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, June 18, 2012 with David Neill, Marc Johnson, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo and DPW Director John Tomasz also present.

Call to order

Chair David Neill called the meeting to order.

Accept minutes (May 12 and May 21, 2012 Regular and Executive Sessions)

Board clerk Jeff Hubbard entertained a motion for the Board to approve May 12, 2012 regular session minutes. Jeff Stinson so moved. Marc Johnson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Board to approve May 21, 2012 regular session minutes. Stinson so moved. Johnson seconded motion. VOTE: Unanimous.

Hubbard entertained a motion for the Board to approve May 21, 2012 executive session minutes. Stinson so moved. Johnson seconded motion. VOTE: Unanimous.

Public Comment

None.

Town Manager's report

Town Manager Michael Lombardo explained that Margo Casey of YMCA had thanked Town for allowing organization's sign to be posted in Hamilton.

He also described how Town had received a letter from Attorney Jim Kroeser representing Gateway Trust who had responded to letter from Selectmen about Class II license violation at Mike's Auto where cars for sale are stored on premises in conflict with restriction on license.

Kroeser had said since Mike Holland, his client, is going before Zoning Board of Appeals for a variance he asked Town to delay enforcement of Class II license violation until the process is complete with ZBA and Planning Board. Selectmen had issued a letter to Holland on June 5, 2012 giving him 30 days until July 5, 2012 to get the cars for sale vacated from his lot on Bay Road.

In response to Hubbard, Lombardo said Holland has applied for a variance from the Zoning Board of Appeals that has jurisdiction and Planning Board offers comments. The Selectmen issue Class II licenses and define conditions as appropriate.

Lombardo noted that previous Board minutes were reviewed for Selectmen's decision on Class II licenses and there was no input from ZBA but Board conditions specified that no vehicles for sale be stored on site. So as stated in the Board's letter, Mike's Auto is out of compliance with his Class II license.

Discussion ensued with Stinson questioning what Board action should be taken relative to the request for extension of the Class II license until the ZBA issue is resolved, Johnson stating these are two separate tracks (Selectmen and ZBA decisions) and he did not see the purpose of extending the notice of violation, David Neill mentioned that holders in Town interested in selling cars are required to have Class II licenses and 3 of the 4 license holders are abiding by restriction not to house cars on premises.

Lombardo discussed possibility of ZBA decision being appealed and that extension could last several months or longer when Mike's Auto would be out of license compliance. He referred to reason that non-compliance letter was issued to resolve situation in the short term.

Johnson suggests the Board did not want to work towards revoking the license but rather Mike's Auto could store the cars for sale offsite as was likely done in the past to be in compliance with his Class II license as other license holders in Town are currently doing. Neill said the Board would give Mike's Auto a 30-day grace period to comply with conditions of his Class II license and if that does not occur in 30 days, the Board could consider revoking the license.

In response to Johnson, Lombardo thought there was not any language in the Town's bylaw that would prohibit the Board from reissuing a Class II license if it were revoked and reconsidered under different terms, he will verify this with Town counsel tomorrow.

Discussion ensued about Town allowing used cars to be sold in Hamilton since 1954 in the business district. Lombardo offered to draft letter for Board review enforcing the conditions in the Board's first letter to the license holder, he'll also prepare a memo for the Board outlining details of a revocation hearing and he'll determine if there are any issues associated with the Board reissuing a license to a person who previously held the Class II license. Neill noted that the Board would respond to the ZBA's decision once that occurs.

Lombardo updated the Board on status of mother's group that is raising funds to upgrade playground equipment at Patton Park. Representatives from the group, Lombardo and Recreation Director Sean Timmons will be attending the next Planning Board meeting for an abbreviated site plan review. He agreed to provide the Board with a conceptual diagram of plan. The ZBA will review plan at its July meeting.

Lombardo noted that fundraising effort was going well and that the work for the equipment installation would be bid out, there would not be a sole source vendor. Also, that seed money from Town, \$5,000 from Recreation revolving fund, was used initially to jumpstart fundraising effort by residents.

Lombardo described progress with union negotiations including how firefighter's union hearing had been rescheduled to Friday, July 18 to accommodate the union attorney's schedule. He noted that agreement had been reached with DPW and ECO unions where a final contract is being drafted for union review and ratification once union representative is available with a meeting scheduled for week of June 28. Lombardo is also finalizing contract details with administrative assistants union.

He summarized the progress of continuing collaboration with Wenham and HWRSD regarding virtual DPW to be done this summer with goal to enter into an intermunicipal agreement. He said the school district was provided with rate information and that there is interest in hiring someone with wide-ranging trade skills who could multitask. Lombardo mentioned that feedback has been that the grounds have never looked better as the result of VDPW collaboration.

Lombardo explained that interviews are underway for a new Council on Aging director and hope is to reach agreement on a finalist with two town COAs within the next week or two.

Lombardo met with attorney representing Mrs. Patton to discuss title and estate issues that need to be resolved working toward August 15 closing deadline. He mentioned that investigation is being done regarding relocating three copper beech trees to accommodate proposed field space. Town is receiving written opinions from an arborist.

He also mentioned that report from Tomasz and federal survey reveals that Hinkley fine gravel rather than Woodbridge sandy loam is likely to be found in embankment on Patton property and that soil borings would be done this week. This would impact design of playing fields. Gayle Associates is going to provide guidance on what fields could be built at the site.

Lombardo described expectation for design meeting with Virtual Town Hall in early July regarding layout and design for Hamilton's web site that can be cleaned up and reconfigured to function more fluidly for a small expense.

He also referred to list of boards and committees that Selectmen should review in preparation for appointments to be made by Board at beginning of fiscal year.

One Day Liquor License –Green Meadows Farm –June 23, 2012

Neill entertained a motion to approve a one-day liquor license for Green Meadows Farm, farm to table event, on June 23, 2012. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

Accept gifts to Patton Playground from the following:

- i Richard & Emily Sumner - \$1,000
- i Jennifer & Jeffrey Scuteri - \$1,000
- i Brooke & Robert Carroll - \$3,000
- i Holly & Patrick Regan - \$5,000
- i Gatey & David Kagan - \$5,000
- i Jennifer & Matthew Daniels - \$5,000
- i Erica Wilson - \$50

Neill entertained a motion to accept the above-referenced donations to be used for The Patton Park Playground project, and authorize the Board Chair to sign the corresponding Gift Acceptance Agreement forms for each donation. Hubbard so moved. Johnson seconded motion. VOTE: Unanimous.

Sign one-year extension to the Grounds Maintenance Agreement between HWRSD and the Towns of Hamilton and Wenham

DPW Director John Tomasz summarized progress made to date with Grounds Maintenance Agreement between HWRSD and the Towns of Hamilton and Wenham for \$26,000. He noted that there was skepticism at the outset and subsequently the HWRSD and the two towns have been given a better product through collaboration and sharing of equipment and the ballfields in particular have never looked better.

Tomasz described how 1,100 hours were given to school grounds with a majority at Middle School/High School campus with work done on walls and trees taken down. Also, a significant amount of cleanup work was required last year after the snowy winter. He said they are looking forward to continuing collaboration and it has been cost effective, costing \$234 more than budgeted after a full year of work with considerably more work getting done.

In response to Hubbard, Tomasz said he has broken down the work by each town's manhours and how they were spent as well as what equipment was being used. Lombardo said cost plus materials were built into budgeted amount. Hubbard suggested a business analysis should be done to ensure Hamilton is breaking even on its investment in grounds maintenance. Tomasz agreed that lawnmowers are worked hard so they typically would be replaced in a shorter timeframe than five years.

Discussion ensued about the advantages of using the grounds maintenance model and suggestion was made that model could be used across the three entities for building maintenance as well. Tomasz noted that he recovers the actual labor costs but does not cost in employee benefits or wear and tear of equipment. He added that money coming in would be used to upgrade equipment to keep the program moving forward.

Neill entertained a motion for the Board to sign a one-year extension to the Grounds Maintenance Agreement between the HWRSD and the Towns of Hamilton and Wenham. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous. Wenham plans to sign agreement tomorrow evening.

Board and Committee reappointments

Discussion ensued about need for Board to review list of board and committee reappointments to consider if there are any groups that may no longer need to continue. Also, that some appointments expire by the end of the month (Agricultural Commission). Board agreed that Johnson and Lombardo would meet to discuss and develop feedback that could be emailed to Board and deliberated on at an upcoming Selectmen's meeting regarding how to move forward with appointments.

Hubbard also mentioned that as the result of the recent Selectmen's retreat that copies of paperwork discussed at Board meetings could be made available to the public in attendance. Lombardo noted that for public records requests where research is involved, a cost of photocopies is charged.

Other business

Selectmen decided to hold a work session on July 2.

Neill entertained a motion to adjourn at 7:52 p.m. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: _____
Clerk